

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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ARcare, Inc., an Arkansas Corporation,  
on behalf of itself and all others  
similarly situated,

Plaintiff,

vs.

Sun Pharmaceutical Industries, Inc.,

Defendant.

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Civil Action No.

**NOTICE OF REMOVAL**

**PLEASE TAKE NOTICE** that pursuant to 28 U.S.C. §§ 1331, Defendant Sun Pharmaceutical Industries, Inc. (“Sun Pharma” or “Defendant”) by its attorneys, hereby removes this action from the Superior Court of New Jersey, Law Division, Middlesex County to the United States District Court for the District of New Jersey. In support of this Notice of Removal, Defendant states as follows:

1. Plaintiff originally commenced this action by filing a Complaint against Defendant in the Superior Court of New Jersey, Law Division, Middlesex County, New Jersey, where it is presently captioned as ARcare, Inc., as Arkansas Corporation, on behalf of itself and all others similarly situated v. Sun Pharmaceutical Industries, Inc., No. MID-L-2984-17. No further proceedings before the state court have occurred.

2. Pursuant to 28 U.S.C. §1446(a), a copy of the Complaint, the only process, pleading, or order served upon Defendant in this action, is attached hereto as **Exhibit A**.

3. Defendant was served with the Complaint on or about June 16, 2017.

4. Accordingly, this Notice of Removal is timely filed, having been filed within thirty (30) days of the date on which the Defendant was served with Plaintiff's Complaint. See 28 U.S.C. §1446(b).

5. The Superior Court of New Jersey, Law Division, Middlesex County, is located within the District of New Jersey. Therefore, venue is proper because the action is being removed to the "district court of the United States for the district and division embracing the place where such action is pending." See 28 U.S.C. §1441(a).

6. No previous application has been made for the relief requested herein.

7. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. §1331, and is one that may be removed to this Court by Defendant pursuant to 28 U.S.C. §1441, because Plaintiff alleges Defendant violated the Telephone Consumer Protection Act, 47 U.S.C. § 227.

8. This Court has federal question jurisdiction over Plaintiff's claims pursuant to 28 U.S.C. §1331 and §1441(b) in that the claims are "founded on a claim or right arising under ... the laws of the United States[.]."

9. Pursuant to 28 U.S.C. §1446(d), written notice of this Notice of Removal of this action is being immediately filed with the Superior Court of New Jersey, Middlesex County, Law Division.

10. Pursuant to 28 U.S.C. §1446(d), a copy of this Notice of Removal of this action is being caused to be served upon Plaintiff.

**WHEREFORE**, Defendant gives notice that this Action is removed from the Superior Court of New Jersey, Middlesex County, Law Division, to the United States District Court for the District of New Jersey.

**REED SMITH LLP**

Dated: July 14, 2017

By: /s/ Diane A. Bettino  
Diane A. Bettino

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